



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Rudi Mueller-Walz
SERIAL NUMBER: 10/574,334 EXAMINER : Sharmila G. Landau
FILING DATE: March 7, 2007 ART UNIT : 1611
FOR: AEROSOL FORMULATIONS COMPRISING FORMOTEROL FUMARATE DIHYDRATE

Mail Stop Amendment
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, Applicants hereby make of record the documents listed on the attached modified Form PTO-1449, as well as copies of the listed documents.

This Supplemental Information Disclosure Statement is being filed before the mailing date of a first Office Action based on the merits in the above-identified case. Accordingly, no fee or certification is believed due.

It is respectfully requested that the Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims, and sign the enclosed form PTO-1449 to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application.

By submitting this Supplemental Information Disclosure Statement, the Applicants make no representation that: (1) a search has been performed, of the extent of any search performed, or that more relevant information does not exist; (2) the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b); and (3) the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

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U.S.S.N.: 10/574,334

Notwithstanding any statements by the Applicants, the Examiner is urged to form his/her own conclusion regarding the relevance of the cited information. An early and favorable action is hereby requested.

Please charge any fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Reference No. 28069-624 NATL.

Respectfully submitted,

Ivor R. Elrifi, Reg. No. 39,529
Naomi S. Biswas, Reg. No. 38,384
Attorneys for Applicants
c/o MINTZ, LEVIN
Address all written correspondence to
Customer no.: 30623
Tel: (617) 542-6000
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Reg. No.
58,032

SJY

Date: August 25, 2008

4410332v.1

08-26-08

Attorney Docket No.: 28069-624 NATL



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TRANSMITTAL LETTER

Transmitted herewith for filing in the present application are the following documents:

1. Supplemental Information Disclosure Statement (2 pages), in duplicate;
2. Modified Form 1449/PTO (1 page), in duplicate;
3. Copy of Cited Reference C3 ; and
4. Return Postcard.

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 542-6000, Boston, Massachusetts.

The Commissioner is authorized to charge any additional fees that may be due, or to credit any overpayment, to the undersigned's account, Deposit Account No. 50-0311 Ref. No. 28069-624 NATL. A duplicate copy of this transmittal letter is enclosed herewith.

Respectfully submitted,

Ivor R. Elkin, Reg. No. 39,529

Naomi S. Biswas, Reg. No. 38,384

Attorneys for Applicants

c/o MINTZ, LEVIN

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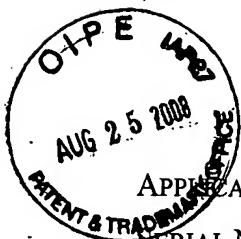
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